

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

IN THE MATTER OF:	)	
	)	Case No. 08-68186
William Leonard and	)	
Carmen Leonard,	)	Chapter 7
	)	Hon. Thomas J. Tucker
Debtors.	)	
	)	
Stuart A. Gold, Trustee,	)	Adv. Pro. No. 10-04608
	)	
Plaintiff,	)	
	)	
Vs.	)	
	)	
Marquette University,	)	
	)	
Defendant.	)	
	)	

**ORDER DENYING, AS UNNECESSARY, “DEFENDANT’S MOTION TO  
AMEND AFFIRMATIVE DEFENSES”**

This adversary proceeding is before the Court on a motion filed by Defendant entitled “Defendant's Motion to Amend Affirmative Defenses” (Docket # 11, the “Motion”). The Motion is unnecessary, because the relief sought by the Motion – namely, leave to file an amended answer and affirmative defenses – was already granted by the Court’s April 26, 2010 scheduling order, which adopted, among other things, the provision in the parties’ April 13, 2010 Rule 26(f) report that stated that “Defendant is granted leave and is allowed until July 31, 2010, to join additional parties and until July 31, 2010, to amend the pleadings.” (*See* Docket # 10 at 1; Docket # 9 at second (unnumbered) page, paragraph 3(b)). Thus, Defendant already has leave to file an amended answer and affirmative defenses, at any time through July 31, 2010.

Accordingly,

IT IS ORDERED that the Motion (Docket # 11) is denied, as unnecessary.

Signed on May 25, 2010

/s/ Thomas J. Tucker  
**Thomas J. Tucker**  
**United States Bankruptcy Judge**